

**CITY OF LANDER
WORK SESSION MEETING
COUNCIL CHAMBERS – CITY HALL
240 LINCOLN STREET
LANDER, WY 82520
November 28, 2017**

THE CITY OF LANDER IS AN EQUAL OPPORTUNITY EMPLOYER

Governing Body Present: Mayor Del McOmie, Council President Cade Maestas, Vice President Monte Richardson, Council Members Melinda Cox, Dan Hahn, Mark Calhoun, Dick Hudson

Governing Body Absent:

City Staff Present: Assistant Mayor RaJean Strube Fossen, Police Chief Bob Cecrle, Public Works Director Lance Hopkin, City Attorney Adam Phillips, City Treasurer Charri Lara, City Clerk Sarah Edlund, Fire Administrator Fred Cox, City Inspector Mike Logue

Mayor Called meeting to order at 6:00

Pledge of Allegiance

1. Staff & Council Updates

Assistant Mayor Strube Fossen update on assisted living facility. Section 205 public meeting scheduled on Dec 19th, this will be last public meeting. Staff will work on fee schedules; will come up first of the year. Met with the State Engineers Office today, great ideas on a long term water management plan; increasing storage; applying for water rights when we annex parts into the city; different areas of diversion when we have high water. SEO warned us that this can be a 2 year process. Asking if we would help lead a legislature move to change the water rights change. We are losing rights throughout Wyoming due to their processes. Water law is very old and is driven by Ag. How much is our storage in potable water? 7 million in a busy day in the summer can be 4 mil +. The plant has the ability but we don't have the water rights.

City Engineer Hopkin, Some upcoming projects, river crossings for FEMA projects, hopefully will be completed quickly. The bleachers up at the rodeo grounds. Received pricing for the extension on the sewer pipe linings to the ponds. Working on Baldwin near the bike park.

Fire Administrator Cox, 9th tree festival, Danny Schaffer did a great job on doing this for us. Thanks to the community to their huge support, businesses and individuals. Good turnout, a very successful event.

Police Chief Bob Cecrle, in Sept Officer Cox left the department we are still short. We did not get any successful candidates and we have to start that process again. We are getting a new application to City Hall just for police departments. Going to expand our reach for applicants and leave it open longer. Long testing process for the applicants. Had difficulty passing the physical fitness testing. After posttest and fitness test then we interview and do the background test, have added a polygraph

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test to that. Council Member Cox, do you use DCI for the background checks? The background test is multifaceted. We have expanded and now it is taking us 3 to 4 weeks. It looks at a lot of different areas of the applicant's lives. It is pretty extensive.

City Treasurer Charri Lara, the audit is finished so the auditor will present the first meeting of December. The fire truck and community center are paid off. Our general fund reserves are very limited. Tim will be here the next meeting.

City Attorney Phillips will have an executive session soon.

City Clerk Edlund working on liquor license renewals, BOA meeting Dec 14th

Charri water and sewer rates go up in Jan. we are averaging the sewer rates for November and December to establish the sewer rate for the new year.

Council Member Calhoun had some calls about the 1000 block of North 1st St. it has to do with water quality and structure and zoning issues. I will bring up with the staff. Water quality concerns in that neighborhood, and some ongoing problems with building and zoning issues.

Council Vice President Richardson, Light up Lander, starts at 3 on Saturday Dec 2. We have 34 floats for the parade it will start at 6. The parade will go down first and then Santa will follow. Carolers, National Honor Society from the High School will be selling hot chocolate. We want to make this part of the whole Main St. We would like to have a firework display when the tree is light so I am asking for the council's blessing on having those. Council President Maestas, how is the ordinance written? Council can modify the ordinance but will need to have a special session to vote to change the ordinance.

Michelle Motherway would like to thank Monte. He has taken this and made it a whole town event. That we have so many floats is fantastic. Great job by the FBLA kids. We had 4k attend last year.

Thank the council and emergency services. We need to make sure people know the date.

Mayor, thanks for all the coverage with all the potholes. We have only had 16 reports.

Someone called and thinks this is a great outreach to the community and it is really nice that the public is paying attention.

2. Orley Pitt, Dog Ordinances, wants the ordinance strengthened in the quantity of dogs that are allowed in a residence. History of dog issue that occurred on Market. Parking my trailer in the back of my son's yard. The neighbors opened their gate and their dogs came out, we were waiting for them to come out but they never did. He has 9 blue heelers in the back yard and the guy that lives in the house has 3 dogs and they are aggressive. I decided to call the police about their dogs as it is a reoccurring problem. He approached me when I was on the phone with the police and I was talking to him about the faulty gate. Officer Leafgreen came and explained that the dogs were at large and said he was going to give him a warning. He tried to get control of the dogs and was having issues. I parked my trailer and then the owner became angry and threw one of the dogs because they weren't listening. Then he became combative when they were trying to arrest him. My wife called for help for the officer and they came, the FBI, Federal Officers, the sheriff's office and the police chief. If they were more aggressive dogs that could have been a real problem. If there was an ordinance on the books usually it wouldn't be an issue unless someone complains. But if they call and complain then they could do something about the situation. I would like to propose is that the council needs to decide

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how many dogs an owner can have on their properties in town. Also people are not allowed to live in a camper on the city street or in someone's backyard.

Chief, police department will enforce whatever ordinance you decide to pass. Would like you to consider this, a specific number needs to be picked, or a tax for anything over a specific number. Also is that by person or is it by family, or is it by property. Is that by property size or dog size? Lots of considerations to look at before you make a decision. What about puppies or will we have a breeders license? What about unplanned puppies? What about when people come to visit? What about a grandfather clause for those who have over the number now? Most of our excess animal's problems are with cats. Currently we try to modify people's behavior in other ways. This guy received a free night in jail and then received 25 citations for this situation. Citations are a progressive fine for each ticket. These dogs are now living outside of town instead of this residence. This was presented once before and it did not progress.

Cade, there are tools in place to correct this and they were utilized in this situation.

Mayor, one of the problems is that you can pass laws but you have to be able to enforce them and you are not going to change human behavior. We have ordinance to address these things once they are brought to our attention. Know people that have several dogs that are well behaved. The major issue is clean up after your animals. We have dogs at large now due to the shortage in the police department.

Mark, questions in a given year where does animal controls rank in a year? It is the most common call in the year. Dog at large and noisy dogs are the most common calls, but they are rarely the same dog. How many neighborhoods have covenants? Are these addressed in those? Who would enforce those? Who is in charge of enforcement for these? Covenants are enforced by the neighborhoods. Chief, one more point for that is most leases or rental agreements have those written into them.

3. Review City Code 3-1-1 Adoption of International Codes, City Inspector Mike Logue
Update from Mike regarding code updates. The 2017 Electrical code was adopted by the state and we have to update within 6 months. There are basically no major changes on it. Lance, anything on solar? There is a whole new chapter on solar in the 2017 code. Rajean, we just revised our solar definitions in our planning so we need the planning commission to look at them to make sure they are consistent.

4. Chamber of Commerce Update

Rajean, continuation of our previous conversations in a work session and who is responsible for what. Brian with the chamber, the best place to start is to distribute the update on the financial documents. Business Council for the grant portion pays out different from what we thought. Only reimburse 60 % of the grant until the whole payout is done. Thought the grant would be used and then the loan and then the chamber would pay. But that is not the way it worked. There is a 40% shortfall due to this timing. Bids came in high so we valued engineered and reduced the budget by 8 %. We do require some kind of bridge financing. So there are a number of options. We have reached out to different financial institutions, but they all want collateral. There is one that will do it without that but it is a higher rate. Can the city provide this guarantee for this loan to bridge this gap put up the land as collateral. Or guarantee the money for us out of their general fund. Charri spoke with the department of audit and they sent me to the constitution and they said that Cities cannot loan money. Mayor what my take on this is that this is a City project not a Chamber project. Charri, our reserves are very

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limited. Mayor can we do a lease purchase agreement with them to do this? Adam, yes we will have to do some legal mechanism to do this. Charri can we do a MOU to do this? Yes probably. This was concern initially, my concern is now that the building is under construction and we have a shortfall. Do you have a backup plan if the city is not able to do this? We have not considered any other avenues. Cade, this is a problem as we discussed this and we were assured that this would not be a problem and now here we are and it is like well now it's the Cities problem. Dan, I asked this last time and I asked you if you had problems and if that would be a big deal and it wasn't. I don't believe it's right. Brian, we always had an avenue for bridge financing at a higher rate but this would allow us to save on the percentage rate if the city would guarantee this loan. Cade since we cannot loan or guarantee so the only other way would be from our revenue. Yes we would have to cut our budget. On the soft costs the architecture costs are 150K what is included in that? Architect, engineer, interpretive display, furniture, fixtures and equipment. What would the cost be without all the other? There are still outstanding architecture and engineering bills coming up. We have been covering all the soft costs and are still planning on covering them. Charri seeing the shortfall of 155K, requesting 200K in bridge financing. And hopes that we won't need the majority of it. 8% is what we are being quoted.

Kyle Vassilopoulos, LB owner, Brian mentioned that there was an 8 % reduction what was worked on to get that reduction in the bid. Brian, the items that I recall included removing the balcony and method of sound insulation on the roof panels, production selection, a decrease in the size of water line, building permit fees. Kyle, was giving up access to 1st street a part of lowering the price for City? Rajean, no the project was advertised that way. What we are trying to ensure that the city only pays for the building and that is all. Not interpretive displays, furniture, flower beds, extra. Charri, if we have an 8 % reduction was the bid reduced? Yes since that we have a reductive change order by 4K. The 816K was already reduced by 8%.

Brian, wanted to comment on. The 15K that the city provides to the chamber is a contractor services and would reduce the services available, as these funds go to operations.

Rajean update on the construction? Staff will work on recommendations for the council on this funding problem. Construction was help up a little, but they are back on track on the schedule. Once the roof panels and second story are installed we will open up 1st St. sometime between now and Christmas. Staff meeting Thursday to discuss 1st St traffic flow. Have been speaking to the effected businesses and we will run our plans by them before we implement them. Lance mainly safety is our primary concern. Melinda, I appreciate the update and I hope it is open very soon. Kyle, so no one can open 1st street without SDI's approval without violating the contract? Rajean, during the bid process it was let with the information that 1st Street would be closed for their use. It would not void the contract but there would need to be a change order in place to change that condition. Michelle what other business has been allowed to close a whole road for 10 months for building a building that is the size of a house. Lance, this decision was made for safety reasons. This area and is not conforming as to other areas in town. We are protecting people and that is a good reason. It was not made to impact businesses it was made to protect people.

Kyle, so safety I can appreciate that but I have a hard time understanding the significant for this. This was in a park. We didn't worry about their safety then. It is ok for you to change the traffic patterns for Lander Live temporarily. I have lost 45K since 1st street has closed. I am asking for compromise and now I get nothing. I was told that once the sewers were done then the road would be opened and

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now I hear the roof panels. What good does any of this do when you close businesses due to poor decisions due to the construction? I am feeling like I am being pushed off for this. I don't feel like these reasons are adequate for the road to stay closed. Council Member Hahn, I have a question for the council did you all know it was going to be closed? Yes. Kyle, we are coming up on 3 months of street closures, and every week that goes by it gets worse for my business. It does not need to be closed consistently. Cade, I cannot disagree. A Public thoroughfare seems to be closed, to be a parking lot for a contractor. It doesn't seem logical for this. Kyle, I had hoped that this would not be a problem but it is. People are blocked in the alley during lunch hour. This is a huge problem. I understand sewer lines being replaced, but for months at a time this is not fine. This is putting my business in a bad spot and we need to find a compromise to make this work for the contractor and for my business.

Can the contractor keep the road closed the whole time the building is being built? He can request a change order if we make those changes. Dan, is he allowed to use the lawn? Yes he can use it for storage.

This time of year is hard for businesses. We have had to cut our staff and their hours are short. Our full time people are down to 15 hours. This is not normal for my business due to 1st street being closed.

Monte, please remember the special meeting on Friday at noon.

There being no further business the meeting was adjourned at 7:54 p.m.

The City of Lander
A Municipal Corporation

By: _____
Del McOmie, Mayor

ATTEST:

Sarah Edlund, City Clerk

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